



Appeal Decision

Site visit made on 15 March 2018

by D Guiver LLB (Hons) Solicitor

an Inspector appointed by the Secretary of State

Decision date: 4 June 2018

Appeal Ref: APP/N2535/W/17/3192633

Land adjacent to 25B Church Road, Stow, Lincoln LN1 2DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Cottle against the decision of West Lindsey District Council.
 - The application Ref 136245, dated 17 May 2017, was refused by notice dated 12 July 2017.
 - The development proposed is new single-storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is made in outline with all matters reserved. However, the appellants have submitted drawings showing an indicative site layout and access and I have had regard to these in determining this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, with particular regard to development beyond the settlement boundary.

Reasons

4. Policy LP2 of the Central Lincolnshire Local Plan 2017 (the Local Plan) identifies eight levels of settlement hierarchy for development across the three local planning authority areas of Lincoln, North Kesteven and West Lindsey. Policy LP4 seeks to regulate development in tier six, which is to say small villages, and provides for a sequential test for development sites with priority given to brownfield sites and infill within the developed footprint of a settlement, followed by brownfield sites on the settlement edge and finally greenfield sites on the settlement edge. There is an additional requirement for each of these categories, namely that the development site is in an appropriate location. Policy LP2 defines an appropriate location as one that does not conflict with the Local Plan policies or national policy taken as a whole and which, if developed would:
 - retain the core shape and form of the settlement;
 - not significantly harm the settlement's character and appearance; and

- not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement.
5. Policy LP17 of the Local Plan seeks to ensure that developments protect and enhance the intrinsic value of the area's landscape and townscape, including the setting of settlements. Proposals should have particular regard to maintaining and responding positively to natural features within the landscape which positively contribute to the character of the area, such as trees and hedgerows, and should take account of views into and out of development areas. The Policy also provides that cumulative as well as individual impacts of a proposal will be considered. Policy LP26 of the Local Plan also seeks to ensure that developments preserve or enhance the character and appearance of the area and specifically should not result in ribbon development or extend any existing linear features of the settlement.
 6. Ribbon development and linear features are not defined in the Policy but taken together in their ordinary meanings refer to the building of houses in a continuous row along a road into or out of the settlement as opposed to roads contained within the settlement. I consider that ribbon development need not be on a main road and such an interpretation would not take into account the reference to linear features in Policy LP26.
 7. The appeal site comprises a modest plot of open land on Church Road, which is a narrow country lane on the edge of the village of Stow. Church Road is closed off at one end by a locked barrier but the carriageway continues onto a junction with the B1241 Normanby Road. The site is largely screened by mature hedging and trees which contribute to the framing of the views into and out of the village along Church Road but there are views, albeit restricted through the vegetation, across the site to the open land beyond.
 8. The appeal site forms part of a larger field in the ownership of the appellants which sits outside the main built form of the village and is therefore in the open countryside. There are some additional houses further away from the main built form along Church Road which continue the sequential numbering of houses, but these are some distance away and are clearly separate from the village. There are no houses in the fields surrounding the site, although there is outline planning permission for the construction of two dwellings on the neighbouring plot.
 9. The proposed development would narrow the gap between the village and the outlying properties along Church Road. The proposal would therefore alter the core shape and form of the village by extending ribbon development into the open countryside. The development would also require a gap to be made in the hedge to provide for access which would have a negative impact on the views along Church Road. The construction of a building would introduce a physical barrier to the existing views across the open land beyond. I find that the proposal would have a detrimental impact on the appearance of the countryside arising from the loss of open space and the reduction of views into and out of the village in the vicinity. Therefore, the appeal site would not be an appropriate location for development and would not accord with Policies LP2 and LP4 of the Local Plan. The proposal would also not be in accordance with Policies LP17 and LP26 of the Local Plan with regards to character and appearance and ribbon development.

10. In addition, there is no substantiated evidence before me that the required sequential test has been undertaken with consideration of potential brownfield or infill sites within the main built form of the village. Therefore, for this reason also the proposed development would not be in accordance with Policy LP4 of the Local Plan.

Other Matters

11. The appellants have indicated that the proposed development would provide accommodation for relative who lives in the village and wishes to continue to do so in retirement. The appellants also state that there is a lack of small, low-cost housing available in the village. However, the proposed development is earmarked for a specific occupant rather than as market housing and therefore I give very limited weight to any lack of small, low-cost housing in the village. I attach moderate weight to the personal circumstances described but these are not sufficient to overcome the significant harm to the character and appearance of the village and the surrounding area.
12. I have also been referred to three other developments in the village in addition to the outline permission for the plot adjacent to the appeal site. The permissions for developments on the plot adjacent to the appeal site and at Ingham Road and Stow Park Road were granted before the adoption of the current Local Plan and the development permitted on land behind the Old Rectory appears from the evidence before me to be within the curtilage of an existing property and could therefore amount to infill. The evidence presented to the Council in support of the applications for planning permission is not before me and I can therefore attach only limited weight to the extant permissions. In any event I must determine this appeal on its own merits and such weight as can be given is not sufficient to overcome the harm to the character and appearance of the village and the wider countryside. Given my conclusions with regard to the proposal subject to this appeal, it has not be necessary to reach a determination on the cumulative effect of the scheme with regard to the planning permission for the plot neighbouring the appeal site.

Conclusion

13. Therefore, for the reasons given above, and taking into account all other matters, I conclude that the appeal should be dismissed.

D Guiver

INSPECTOR